

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST
LITIGATION (NO. II)**

Case No.: 3:23-md-3071

MDL No. 3071

This Document Relates to:

3:23-cv-00792

Chief Judge Waverly D. Crenshaw, Jr.

**TREV MANAGEMENT II LLC'S MOTION TO DISMISS STUDENT-HOUSING
PLAINTIFFS' FIRST AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

The student-housing claims asserted against Defendant TREV Management II LLC (“TREV”) in Plaintiffs’ First Amended Consolidated Class Action Complaint (ECF No. 527) should be dismissed with prejudice for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). Plaintiffs’ cursory allegations against TREV are based on its ownership interests in a codefendant that allegedly uses RealPage software—*not* on any allegations that TREV itself participated independently in the alleged conspiracy at the heart of this antitrust litigation. Plaintiffs cannot state a plausible claim against TREV on such a threadbare foundation, and their allegations are insufficient to support claims against TREV as a matter of law. Those claims should therefore be dismissed not only for the reasons supporting the student-housing Defendants’ joint motion to dismiss but also for the reasons specific to TREV given in the memorandum of law accompanying this motion.

Dated: October 9, 2023

Respectfully submitted,

/s/ Lee A. Peifer

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CERTIFICATE OF SERVICE

I certify that on October 9, 2023, this document is being filed with the Clerk of Court using the CM/ECF system, which will serve the document electronically on all counsel of record in accordance with the Court's Practice and Procedures Notice.

/s/ Lee A. Peifer

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